

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

OKLAHOMA FIREFIGHTERS PENSION)	
AND RETIREMENT SYSTEM, Derivatively)	
on Behalf of Nominal)	
Defendant THE BOEING COMPANY,)	
)	
Plaintiff,)	Civil Action No. 1:24-cv-01200-LMB-WEF
)	
v.)	
)	
DAVID L. CALHOUN, et al.,)	JURY TRIAL DEMANDED
)	
Defendants,)	
)	
- and -)	
)	
THE BOEING COMPANY,)	
)	
Nominal Defendant.)	

CORRECTED INTERVENORS' STATUS REPORT

1. Pursuant to this Court’s instructions at the September 6, 2024 hearing in the above-captioned action (the “EDVA Derivative Action”), Intervenor Ohio Public Employees Retirement System and State Teachers Retirement System of Ohio (“Intervenors”) write to update this Court regarding the status of production in their books and records action in the Delaware Court of Chancery—*Ohio Public Employees Retirement System and State Teachers Retirement System of Ohio v. The Boeing Co.*, C.A. No. 2024-0795-SEM (Del. Ch.) (the “Delaware Books and Records Action”). As detailed below, Intervenor Ohio Public Employees Retirement System, will be working with Plaintiff, and expect to file with Plaintiff a Consolidated Amended Complaint on or before October 25, 2024.

2. At the time of the hearing on September 6, 2024, The Boeing Company (“Boeing” or the “Company”) had produced 138 documents totaling 1707 pages. Since the hearing, Boeing has made six productions of books and records (the “Productions”) comprised of 898 documents, totaling 7,565 pages. Boeing produced:

- 21 documents on September 9;
- 170 documents on September 20;
- 11 documents on September 26;
- 101 documents on September 27;
- 533 documents on October 3; and
- 62 documents on October 4.

Pursuant to the scheduling order in the Delaware Books and Records Action, October 4 was the deadline for Boeing to substantially complete its production of the documents it agreed to produce prior to the filing of the Delaware Books and Records Action.

3. The Productions contained numerous important documents, including:

- Board meeting notices, agendas, minutes, resolutions, and presentation materials from February 15, 2022 through June 30, 2024, including materials related to Boeing’s acquisition of Spirit Aerosystems;
- Audit Committee meeting agendas, minutes, and presentation materials from December 9, 2021 through July 24, 2024, including copies of Deloitte’s independent auditor reports, proposed public disclosures concerning Boeing’s financial performance and significant audit issues, updates on the Company’s purported compliance with the January 6, 2021 Deferred Prosecution Agreement with the United States Department of

Justice (the “DPA”), and the Company’s plea agreement for violating the DPA;

- Aerospace Safety Committee meeting agendas, minutes, and presentation materials from October 11, 2023 through June 19, 2024;
- Governance & Public Policy Committee materials related to proposed edits to the Director Code of Ethics;
- Finance Committee meeting agendas, minutes, and presentation materials from December 12, 2021 through April 29, 2024;
- Compensation Committee meeting minutes from December 9, 2021 through February 19, 2024;
- Boeing Multi Operator Messages to airlines from January 6, 2024 through January 24, 2024 related to the January 2024 door plug blowout,
- Board-level safety and quality policies; and
- and director and officer independence questionnaires.

4. The Productions provided important information regarding the federal and state-law claims against Boeing’s fiduciaries. Boeing has confirmed that its production is substantially complete, and Intervenor plan to voluntarily dismiss without prejudice the Delaware Books and Records Action.

5. The 1,042 Company books and records Intervenor have received (86% of which came through the Productions after the September 6, 2024 hearing) have given Intervenor more than enough information to adequately plead federal and state law claims against Boeing’s fiduciaries.

6. Intervenor and Plaintiff have conferred regarding the most efficient manner to move this case forward. To avoid delaying this action with an unnecessary leadership dispute, Intervenor and Plaintiff have agreed to jointly file a consolidated amended complaint. Boeing consents to the sharing of documents and information by Intervenor and Plaintiff for the purposes of filing a consolidated amended complaint.

7. Based on the above, Intervenor expect to file with Plaintiff a Consolidated Amended Complaint on or before October 25, 2024. Intervenor and Plaintiff are available for a status conference to discuss scheduling (including coordination with the related federal securities case) or to provide any additional information this Court desires.

Dated: October 7, 2024

Respectfully submitted,

/s/ Susan R. Podolsky

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